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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF WASHINGTON**
7 **SPOKANE DIVISION**

8 MELISSA PLENTY,
9 Plaintiff,
10 v.

11 HILTON RESORTS CORPORATION,
12 d/b/a HILTON GRAND VACATIONS,
13 Defendant.

Case No. 2:26-cv-00258-TOR

**PLAINTIFF'S FIRST CLASS
ACTION AMENDED
COMPLAINT**

DEMAND FOR JURY TRIAL

14
15 Pursuant to Federal Rule of Civil Procedure 15(a)(1)(A), Plaintiff Melissa
16 Plenty respectfully submits her first class action Amended Complaint correcting the
17 defendant to Hilton Resorts Corporation d/b/a Hilton Grand Vacations.

18 **INTRODUCTION**

19 1. "Being deluged with 'spam' telemarketing phone calls or text messages
20 is the bane of modern life. In a world where countless companies try to capture our

1 attention, it can be exasperating to receive yet another ping on a smartphone.”

2 *Borden v. eFinancial, LLC*, 53 F.4th 1230, 1231 (9th Cir. 2022)

3 2. Defendant Hilton Resorts Corporation d/b/a Hilton Grand Vacations
4 (“Hilton Resorts”) has contributed to this barrage of telephone spam by illegally
5 calling Plaintiff Melissa Plenty (“Plenty”) and thousands of others like her.

6 3. Despite placing her number on the National Do Not Call Registry
7 (“DNCR”) and requesting that the calls stop, Hilton Resorts continued to call Plenty
8 in an attempt to market its hotel rooms and services.

9 4. Plenty wants these calls to stop. Plenty brings this action individually,
10 and on behalf of putative class members, to seek injunctive relief and damages.

11 **JURISDICTION AND VENUE**

12 5. This Court has original subject matter jurisdiction pursuant to 28 U.S.C.
13 § 1331 because this action arises under the TCPA, 47 U.S.C § 227, which is a federal
14 statute.

15 6. Venue is proper in this District pursuant to 28 U.S.C. § 1391 because a
16 significant portion of the facts giving rise to this lawsuit and the wrongful conduct
17 occurred in this District.

18 7. This Court has personal jurisdiction over Defendant Hilton Resorts
19 Corporation d/b/a Hilton Grand Vacations because the calls at issue arose from
20 Hilton Resorts’ conduct in Washington. Hilton Resorts had previously obtained

1 Plenty's information and knew or likely knew that Plenty was located in Washington
2 and would receive the calls at issue in Washington. Furthermore, Plenty's phone
3 number starts with 509, which is an area code for eastern portions of Washington.
4 Hilton Resorts therefore knew that its' calls were targeted at, and likely to be
5 received in, Washington. Lastly, Hilton Resorts is a global operation and directs its
6 calls into all 50 states, and therefore knew many of its calls would be received in
7 Washington.

8 **PARTIES**

9 8. Plaintiff Melissa Plenty is a resident of Spokane, Washington.

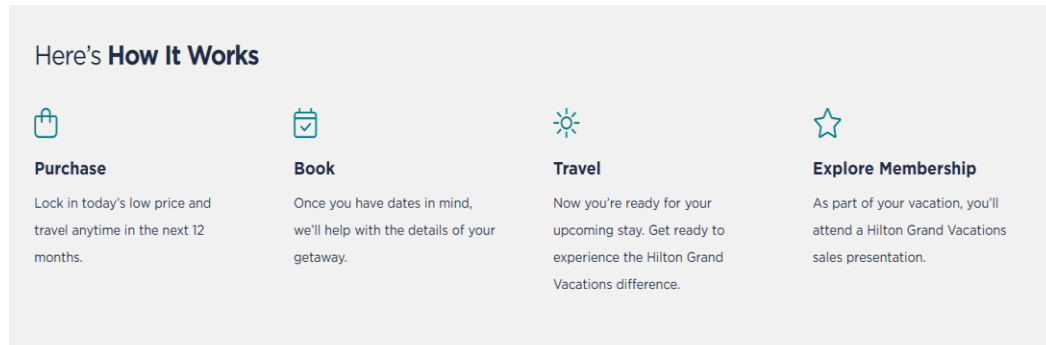
10 9. Defendant Hilton Resorts Corporation is a Delaware Corporation with
11 its principal place of business in Orlando, Florida.

12 **FACTUAL ALLEGATIONS**

13 10. Hilton Resorts offers vacation ownership and timeshares to
14 participating members.¹

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19 ¹ Hilton Grand Vacations, *FAQS*, (last accessed June 16, 2026),
20 <https://www.hiltongrandvacations.com/en/faqs>.

11. To advertise these timeshares, Hilton Resorts offers discounted rooms with the condition that the customer attend a “Hilton Grand Vacations sales presentation”:²



12. In February 2025, Plenty used her number, 509-701-5723, to call Hilton and reserve rooms in Denver, Colorado for May 2025.

13. Plenty completed her reservation with Hilton but the agent she completed the reservation with requested she stay on the line momentarily for a special promotion. Plenty was then transferred to a different phone line. The agent on the transferred line told Plenty that Hilton Resorts had a special deal for her.

² Hilton Grand Vacations, *Discover the Difference with A Special Vacation Offer*, (last accessed June 16, 2026),

<https://www.hiltongrandvacations.com/en/offers/lp/hilton/mobile-app/june-2026/v1-lv-mb-orl-hhd-rn5666300>.

1 Plenty could book additional rooms for a future timeslot at a significant price
2 reduction if she selected a location and paid for the rooms while on the phone.

3 14. Plenty selected a location and paid the reduced price.

4 15. Once payment was completed, the agent informed her that the deal was
5 only valid if she attended a class conducted by Hilton Resorts that would last “no
6 more than two hours.” When Plenty stated she did not want to attend this class, she
7 was told there were no refunds and she would be required to attend the class or forfeit
8 her payment and rooms. Accordingly, Plenty planned to attend the class.

9 16. However, at the end of 2025, Plenty’s cancer returned after a period of
10 remission.

11 17. Plenty called Hilton in December 2025 to attempt to cancel her
12 reservation. She was once again told that a refund was not an option regardless of
13 her medical status. Plenty would need to attend the class and confirm her reservation
14 or forfeit the prepayment made. Plenty confirmed she wanted to cancel the
15 reservation as she could no longer travel following her medical diagnosis.

16 18. Despite this interaction, Plenty began to receive phone calls from Hilton
17 Resorts on February 10, 2026 at 2:26 am UTC, encouraging her to make reservations
18 within the allotted timeslots.

19 19. Plenty explained her situation once again and told Hilton Resorts to
20 stop calling her.

1 20. However, Hilton Resorts continued to call her, as follows:

- 2 i. Call from 689-358-1412 on Feb. 11, 2026, at 2:01 am UTC
- 3 ii. Call from 689-358-1357 on Feb. 11, 2026, at 5:37 pm UTC
- 4 iii. Call from 689-358-1476 on Feb. 13, 2026, at 5:41 pm UTC
- 5 iv. Call from 702-347-2062 on Feb. 14, 2026, at 2:00 am UTC
- 6 v. Call from 407-610-9592 on Feb. 16, 2026, at 9:56 pm UTC
- 7 vi. Call from 407-610-6049 on Feb. 17, 2026, at 5:25 pm UTC
- 8 vii. Call from 407-309-9593 on Feb. 18, 2026, at 5:30 pm UTC
- 9 viii. Call from 689-358-1587 on Feb 19, 2026, at 1:32 am UTC
- 10 ix. Call from 407-309-3684 on Feb 19, 2026, at 5:14 pm UTC
- 11 x. Call from 689-358-1623 on Feb. 20, 2026, at 1:19 am UTC
- 12 xi. Call from 407-610-9208 on Feb. 23, 2026, at 8:51 pm UTC
- 13 xii. Call from 689-358-1475 on Feb. 24, 2026 at 5:29 pm UTC
- 14 xiii. Call from 407-610-1935 on Feb. 25, 2026, at 1:30 am UTC

15 21. All these calls came from a different number making it impossible for

16 Plenty to block or prevent them.

17 22. Each call was initiated by Hilton Resorts to Plenty's number, 509-701-

18 5723.

19 23. The purpose of these calls was to market available dates for potential

20 reservations.

1 24. These calls were made despite Plenty's stop request on February 10,
2 2026.

3 25. Plenty is the user of the cell phone number 509-701-5723. She has been
4 the user of 509-701-5723 for at least twenty years. Plenty uses this number for
5 personal use. She uses it at home and wherever she goes. She is the sole user of the
6 number and does not use it for any business.

7 26. Plenty personally registered her number 509-701-5723 on the National
8 Do Not Call Registry on November 2, 2012, to stop unwanted and unsolicited calls.

9 27. Plenty is not alone in her experience. For years, consumers have
10 complained about Hilton Resorts' unethical "Package Scam" and illegal calling
11 practices:

- 12 i. "Starting yesterday I started getting 5 calls a day from HGVC trying to
13 get me to come to Orlando, San Diego, or Vegas for a weekend stay to
14 try to sell me a timeshare. They somehow got my cell phone number
and it comes up as blocked on my phone. I can't not answer it because
some of my business contacts come up as blocked.

15 When I asked how they got this number they say they got it from Hilton
16 because I stayed at a Hilton in the past 3 years. Its true that I stay at
17 Hiltons, but I never gave Hilton my cell phone. I have asked them to
put me on the do not call list, and I keep getting they will try. Even
getting to speak to a manager, which as not helped.

1 Is there anyone I can contact to stop this before its gets more out of
2 control?"³

- 3 ii. "My experience with Hilton Grand Vacations has been nothing short of
4 a nightmare. It started with relentless robocalls—multiple times daily
5 without identification or messages. After weeks of harassment, we
6 finally answered after receiving four calls in one evening. We were
7 lured in with promises of a "free 3-day Vegas trip" for attending a "low-
8 pressure, one-hour presentation." This was the first of many lies. Upon
9 arrival at the Elara, it became clear our stay was secondary to their sales
10 ambitions.

11 The "presentation" lasted nearly FIVE HOURS. We were passed
12 between multiple sales reps who used increasingly aggressive
13 emotional manipulation tactics. Despite explaining that my mother-in-
14 law was terminally ill and we needed to leave, they refused to let us go.
15 We were so mentally and emotionally exhausted that we agreed to
16 purchase just to escape. They pressured us into opening a credit card
17 for financing and promised we could "easily resell at the same or higher
18 value", another complete lie. Questions about maintenance fees were
19 answered dishonestly, and follow-up calls were ignored.

20 Later, we were targeted again with "free trip" offers that was actually
another high-pressure upsell session. Against our better judgment, we
were manipulated into upgrading with false promises it would improve
usability. It only deepened our financial burden. For years, we've tried
contacting HGVC about resale options with zero response. Their entire
business model relies on deception, manipulation, and predatory tactics
targeting vulnerable consumers. HGVC has caused us years of financial

21 ³ Flyertalk, Ktremor, *How to I get Hilton Grand Vacations Club® to*
22 *stop calling me non-stop?*, July 18, 2008, [https://www.flyertalk.com/forum/hilton-](https://www.flyertalk.com/forum/hilton-hilton-honors/846418-how-i-get-hilton-grand-vacations-club-stop-calling-me-non-stop.html)
23 [hilton-honors/846418-how-i-get-hilton-grand-vacations-club-stop-calling-me-non-](https://www.flyertalk.com/forum/hilton-hilton-honors/846418-how-i-get-hilton-grand-vacations-club-stop-calling-me-non-stop.html)
24 [stop.html](https://www.flyertalk.com/forum/hilton-hilton-honors/846418-how-i-get-hilton-grand-vacations-club-stop-calling-me-non-stop.html).

1 stress and emotional distress. Save yourself the heartache—avoid this
2 company entirely.”⁴

- 3 iii. “Representatives from Hilton Hotel Vacations are calling me 17 times
4 a day because I won't sign up. They have been rude, refuse to take my
5 phone number off their list and now harass me with multiple calls
6 every day. I will never stay at a Hilton hotel again. I was a rewards
7 member too but not anymore.”⁵

8 28. Hilton Resorts’ calls have annoyed and invaded the privacy of Plenty
9 and the class members, intruded upon their seclusion, and negatively impacted their
10 enjoyment and use of their phones.

11 LEGAL STANDARD

12 29. **Do Not Call Procedures.** “No person or entity shall initiate... any call
13 for telemarketing purposes to a residential telephone subscriber unless such person
14 or entity has instituted procedures for maintaining a list of persons who request not
15

16 ⁴ Kim from Colleyville, TX, *Consumer Affairs*, August 17, 2025,
17 https://www.consumeraffairs.com/travel/hilton_grand_vacations.html?page=3#:~:text=This%20is%20100%20percent%20a,with%20Hilton%20as%20a%20result.

18 ⁵ PissedConsumer.com, Rockell CJ, *Harrassment of continuous calls*,
19 February 23, 2024, [https://hilton-grand-](https://hilton-grand-vacations.pissedconsumer.com/complaints/RT-P.html#:~:text=View%20full%20review.)
20 [vacations.pissedconsumer.com/complaints/RT-](https://hilton-grand-vacations.pissedconsumer.com/complaints/RT-P.html#:~:text=View%20full%20review.)
[P.html#:~:text=View%20full%20review.](https://hilton-grand-vacations.pissedconsumer.com/complaints/RT-P.html#:~:text=View%20full%20review.)

1 to receive such calls.” 47 C.F.R. § 64.1200(d). Telemarketers “must honor a
2 residential subscriber's do-not-call request.” Id. at 64.1200(d)(3).

3 **CLASS ACTION ALLEGATIONS**

4 30. Pursuant to Federal Rules of Civil Procedure 23(b)(3), Plenty brings
5 this action on behalf of herself, and a class of persons similarly situated.

6 31. Plenty proposes the following class:

7 **The Do Not Call Class:** All persons in the United States, (1) to whom
8 Hilton Resorts initiated, or caused to be initiated, more than one
9 telephone call, (2) marketing Hilton Resorts’ hotel rooms or services,
10 (3) after receiving a do not call request, (4) within the last four years
11 prior to the filing of this action through the date of class certification.

12 32. The Class likely exceeds 10,000 members.

13 33. As a result, joinder is impracticable.

14 34. On information and belief, last year Hilton Resorts made more than one
15 million calls to numbers after receiving a stop request.

16 35. On information and belief, Hilton Resorts has records with annotations,
17 notes, codes, or similar designation that indicate Hilton Resorts received a stop
18 request.

19 36. Questions of law and fact common to the class include whether Hilton
20 Resorts initiated the calls, whether the calls were placed after a consumer’s stop
request, whether the calls were to cellular telephones, and whether the calls were
made knowingly and willfully.

37. Plenty's claims are typical of the class because they arise out of the same conduct by Hilton Resorts and are based on the same legal theory under the TCPA.

38. Plenty is an adequate representative because her interests do not conflict with the class, and she will fairly represent the interest of the class. Plaintiff's counsel also has no conflict and is experienced in TCPA class actions.

39. The questions common to the class predominate over individualized questions.

40. A class is superior to individual suits because it saves judicial resources, promotes consistency and efficiency, provides a forum for small claimants, and deters illegal activities. Class members prosecuting separate actions is unlikely because of the time and expense required. Damages are statutory and straightforward. Notice can be provided by mail or other means. There is no difficulty in managing this case as a class.

FIRST CAUSE OF ACTION

Failure to Honor Opt-Out Requests

(On Behalf of Plaintiff and the Do Not Call Class)

41. Hilton Resorts violated 47 C.F.R. § 64.1200(d) by making, or causing to be made, telemarketing calls to Plenty and the Do Not Call Class without instituting procedures for properly maintaining a list of persons who request not to receive such calls.

42. Plenty and members of the Do Not Call Class have been damaged and are entitled to an award of \$500 in statutory damages for each violation. 47 U.S.C. § 227(c)(5).

43. The court should award \$1,500 in statutory damages for each violation because the violations were knowing and willful. *Id.*

RELIEF REQUESTED

Plenty respectfully requests that the Court grant Plenty and all class members the following relief against Hilton Resorts:

- A. Certification of the proposed class;
- B. Appointment of Melissa Plenty as class representative;
- C. Appointment of The HQ Firm, P.C. as lead counsel for the class;
- D. An award of damages to Plenty and class members, as allowed by law;
- E. An award of fees, costs, and interest, as allowed by law; and
- F. Orders granting such other relief as the Court deems necessary, just, and proper.

JURY DEMAND

Plenty requests a jury trial as to all claims of the Complaint so triable.

1 DATED July 6, 2026

Respectfully submitted,

2
3 /s/ Thomas Alvord

4 Thomas Alvord, WSBA #61943

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